

1997-98 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

Senate Committee on
Agriculture and
Environmental
Resources
(SC-AER)

Sample:

- Record of Comm. Proceedings
- 97hrAC-EdR_RCP_pt01a
- 97hrAC-EdR_RCP_pt01b
- 97hrAC-EdR_RCP_pt02

➤ Appointments ... Appt

➤

➤ Clearinghouse Rules ... CRule

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➤ Committee Hearings ... CH

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➤ Committee Reports ... CR

➤

➤ Executive Sessions ... ES

➤

➤ Hearing Records ... HR

➤ 97hr_sb0435

➤ Miscellaneous ... Misc

➤

➤ Record of Comm. Proceedings ... RCP

➤

**Before the Senate
Committee on Agriculture & Environmental Resources
March 18 , 1998**

**Testimony of
The Wisconsin Department of Natural Resources
On
Senate Bill 435**

The Department of Natural Resources is appearing today for informational purposes regarding Senate Bill 435.

SB 435 makes a very clear statement of policy. While we may not necessarily agree with the basis for such a statement and hence the need for this proposal, it is certainly within the Legislature's authority to put forward a policy such as this. I do want to discuss, very briefly, a couple of points concerning the proposed legislation.

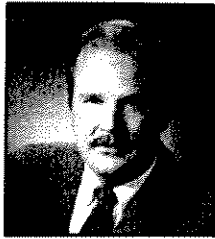
First, under this proposal no sulfide mining operation may discharge wastewater to any surface waters within the Wisconsin River Drainage Basin. As written, that would apply to any mining operation, regardless of whether the operation itself is located within the Wisconsin River Drainage Basin. There is at least one known mineral deposit located in the Wisconsin River Drainage Basin and if future development were considered, this legislation would force the operator to direct its wastewater outside of the Wisconsin River Basin. While this is certainly technically feasible, it may lead to other concerns related to inter-basin transfers of water.

Secondly, there is obviously an issue of fairness associated with the legislation. It singles out a given industry and river system for special treatment when the need for such treatment is not apparent. There is nothing inherent in either a discharge from a mining project nor the Wisconsin River which automatically make them incompatible or more problematic than other discharges. Removing the Wisconsin River as a discharge location option for mining projects, while keeping it available as an option for other industries, industries which are regulated under the same laws and rules and subject to the same water quality standards and criteria, does not seem reasonable. The department believes that the best approach is the existing permitting process, under which all viable options are kept open and an applicant is allowed to select the option which best fits the needs of a given project, after considering the viable treatment and discharge alternatives. The department would then evaluate the proposal for conformance to our well established water quality protection laws and rules. It is our position that the laws and rules governing wastewater discharge and water quality protection provide us the tools necessary to ensure protection of any body of water which receives wastewater, whether that discharge originates from a mining operation or some other activity.

**Before the Senate
Committee on Agriculture & Environmental Resources
March 18 , 1998**

**Testimony of
The Wisconsin Department of Natural Resources
On
Assembly Bill 586**

The Department of Natural Resources is appearing today in support of Assembly Bill 586. At an earlier hearing conducted by the Assembly Committee on Environment, department staff pointed out several major problems with the original version of AB 586 and indicated that the department could not support the bill in its form at that time. However, significant changes have been incorporated and we now feel that AB 586 will improve our ability to regulate metallic mining operations in this state. The provisions adding informational requirements to the permitting process will lead to a more informed decision-making process and the provisions pertaining to construction oversight and inspection will help to ensure that mining sites are constructed and operated in accordance with the approved plans and permits and the applicable laws and rules.



DALE W. SCHULTZ
Wisconsin State Senator

Testimony before the Senate Agriculture and Environmental Resources
Committee in support of Senate Bill 435.

Thank you chairperson Clausing and committee members for holding this hearing today and allowing me this opportunity to testify in support of Senate Bill 435.

Recently the legislature passed the mining moratorium bill with bipartisan support. I took an active roll in that bill not because it would have a direct impact on my district. I did so because I wanted to assure that any mine operating in Wisconsin would protect our states natural resources.

Today, I am testifying before you to ask for your support of Senate Bill 435 which would prohibit the discharge of wastewater from a sulfide mine into the Wisconsin River. Unlike the moratorium bill, Senate Bill 435 would have a direct impact on my senate district.

The Wisconsin River runs through many communities in the 17th Senate District. By allowing the discharge of wastewater from a sulfide mine such as the one proposed near Crandon we could be placing many communities all along the Wisconsin River in harms way.

I have no doubt that this mine, if allowed to open, will be operated safely. But the wastewater discharge from that mine could be pumped into another river that is much closer. I do not believe the Wisconsin River or the inhabitants that live along its banks should be used as the sewer for this mine.

You will hear opponents of this bill argue that Senate Bill 435 is unconstitutional. I remind committee members that we have heard this argument in the past. Legal battles will be waged before any mine opens in Wisconsin and we should not be intimidated by that. We, as legislators, have an obligation to do what is right for the citizens of Wisconsin.

Member: Joint Committee on Finance

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Finally, The Great Lakes Governors Association opposes the transfer of water from one watershed to another. By allowing the proposed Crandon mine to do this we will be setting a bad precedent.

Please support SB 435.

Again, thank you for this opportunity and I will be glad to answer any questions that members may have.